

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

JASON B. HUGHES,)	
)	
Petitioner,)	
)	
vs.)	Case No. CIV-04-1667-M
)	
WARDEN BECK,)	
)	
Respondent.)	

ORDER

On May 11, 2005, United States Magistrate Judge Doyle W. Argo issued a Supplemental Report and Recommendation [docket no. 22] in this federal habeas action brought pursuant to 28 U.S.C. § 2254. Magistrate Judge Argo recommends that the third ground for relief in Petitioner's Petition for a Writ of Habeas Corpus ("Petition"), the only ground remaining,* be denied because it is procedurally barred. The parties were advised of their right to object to the Supplemental Report and Recommendation by June 1, 2005. Petitioner timely filed an objection.

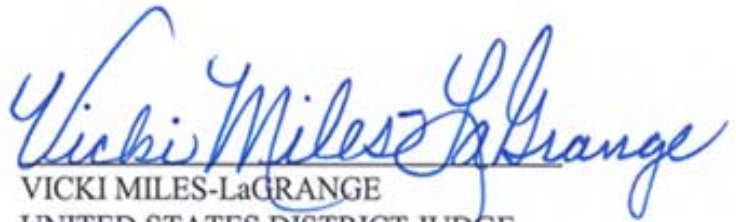
The Court has carefully reviewed this matter de novo. The Court agrees with Magistrate Judge Argo's Supplemental Report and Recommendation in all respects. Accordingly, the Court hereby:

- (1) ADOPTS Magistrate Judge Argo's May 11, 2005 Supplemental Report and Recommendation;
- (2) DENIES Petitioner's Petition for a Writ of Habeas Corpus as to the third ground for relief set out therein; and

* By order dated May 3, 2005, the Court adopted Magistrate Judge Argo's March 14, 2005 Report and Recommendation and denied Petitioner's first, second, fourth, fifth, sixth, seventh, and eighth grounds for relief, but declined to adopt the Report and Recommendation as to Petitioner's third ground for relief. The Court re-referred the matter to Magistrate Judge Argo for preparation of a Supplemental Report and Recommendation analyzing in further detail only the third ground for relief.

(3) ORDERS that judgment in favor of Respondent be entered forthwith.

IT IS SO ORDERED this 1st day of June, 2005.



VICKI MILES-LaGRANGE
UNITED STATES DISTRICT JUDGE